

Daily Nebraskan

Since 1901

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A tangled Web Online businesses' fates stuck in Napster copyright case

Metallica and the Recording Industry Association of America would have you believe that the University of Nebraska-Lincoln is harboring criminals.

These heinous fiends are squirreled away in the back corners of every computer lab and locked in residence hall rooms exploiting the university's ample bandwidth. Their crime? First-degree song swapping.

RIAA and music groups concerned about the integrity of their music, such as Metallica and other groups concerned with the integrity of their royalty checks, have tried to vilify Napster, the program that makes song swapping so easy.

But universities should not be held liable for the actions of students who use their networks for the same reasons they are not liable for students who make prank calls from their rooms over university phone lines.

The recording industry's lawsuit aims to shut down the infamous service that allows users to download compressed song files, MP3s, directly from other people's computers.

Industry claims of diminished sales are difficult to accept in the face of record-setting CD sales last year, which was the same year Napster exploded on the scene.

It is true that some people, probably college students, will download entire CDs and relish the fact that they were free.

But many other people will download a couple songs to decide if they should buy a group's CD. Without the chance to sample a recording for free, some people will never buy the CDs that don't get radio air play.

The artists who complain that the computer-compressed files degrade the music they slaved over in the studio have a valid point. But doesn't dubbing CDs onto tape also degrade the music quality?

At the heart of the matter is the sanctity of the copyright.

Even if you have no idea what an MP3 file is and have no concern for the artists' work, this case could have a tremendous impact because it has the potential to reshape online copyright law.

Much of the current activity on the Internet is based on the free and open sharing of information. The World Wide Web encourages interconnecting and sharing information between sites.

If the copyright restrictions of the real world are imposed on the virtual one, many Web businesses may have to restrict themselves to survive.

Last week Napster and the recording industry argued their case before a federal appeals court panel.

We will be watching closely for the results of this case, and you should too because it could reshape the Web for the 21st century.

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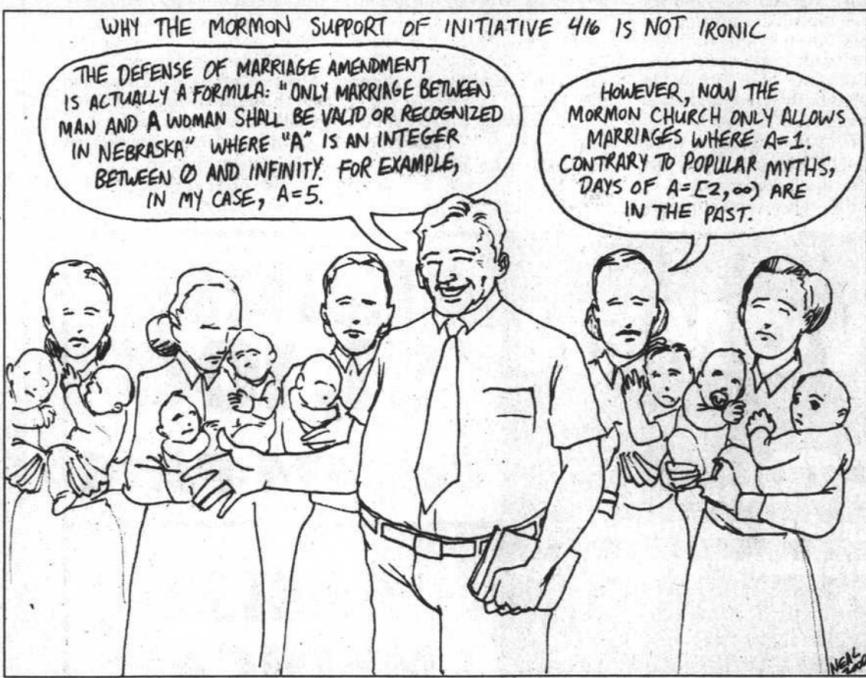
Sarah Baker, Bradley Davis, Josh Funk, Matthew Hansen, Samuel McKewon, Dane Stickney, Kimberly Sweet

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Neal Obermeyer/DN

Letters to the editor

Napster? Yawn.

I am ever amazed at what battles this university chooses to fight and those it wishes to try and ignore.

Sure we're losing faculty at an alarming rate. So what if we don't give equal rights and benefits to our professors. And who really cares that violations seem to be popping up across the board around that cash cow we call the Athletic Department? These kids are listening to free music!

Oh, and just so you know: I saw someone take some food from the cafeteria the other day ... and they didn't eat all of it. Might want to get to that one before you bother trying to figure out where we get funding for next year.

Kevin Sheen
Junior
Advertising

Ditch the Dank

Simon Ringsmuth, once again the UNL student population is now dumber thanks to your editorial on Friday. We now know far more about you and your "cool frat buddies" shower drain than we ever needed/wanted/cared to know.

The agony of reading your article (I only read the entire article to see if it actually did have a point.) wasted five minutes of my life that I cannot ever have back. Thanks. I don't know what caused you or anyone on the DN editorial staff to presume that anyone cares about your shower drain, Shop-Vac, World War II shower fetishes or roommates.

Maybe you should instead focus your writing abilities (or lack thereof) on writing X-files screenplays or computer code for fantasy games. Do me a favor and give yourself a high-five for me for quelling the "forces of darkness" in your basement.

Kevin Sypal
Senior
Advertising

Learn how to think: Go Green

When Ralph Nader was 10 years old his father asked him "What did you do today in school? Did you learn how to believe, or did you learn how to think?"

Ralph did the latter, and now this "Ivy League Lone Ranger" is indeed lone. With the election less than a month away, so many precious voters still don't know who this man (with brains and a conscience) is.

Could that be because Bush and Gore wouldn't allow him into the debates? It is a corporate-run show (in which corporate ass-kisser Ross Perot was gladly welcomed in '92) so of course the suits are going to arbitrarily change the rules in order to oust third-party candidates, especially to deter anti-corporate guru Nader.

I want to cry a swamp o' tears when I hear from fellow citizens of the United States that letting third-party candidates into the debates creates chaos.

Call me CRAZY, but I for one want to listen to a man who is on our ballot. If we are old enough and wise enough to get someone on a ballot that is running for the president of the United States and then have a choice in voting for them, don't you think we ought to let him tell us what he's about?

I mean, ask Jesse Ventura (whom I don't necessarily love) for proof that people listen to the debates and do indeed want to hear third-party candidates. (Ventura had only 7 percent of the vote two weeks before the election for governor of Minnesota, but he debated during that two weeks and won the election.)

But enough crying over spilt milk (although we can protest outside of the debates in St. Louis next week, wink, wink), let's cry over spilt beer.

On Friday night, to spread the good word about my man Nader, a bunch of us Green Party/Nader supporters went on a bar crawl to raise money for the Green Ride 2000. (Twelve of us students are going around Nebraska and speaking about him, running mate Winona LaDuke and the GP platform.)

I heard a lot of people say: "You should concentrate your efforts on trying to change the electoral college, not wasting your time trying to get a hopeless old man elected president."

After I pick my nose and say "Uh-huh," I then say "Well, why don't you try to change the electoral college. I'm busy trying to promote Nader. Maybe next semester, OK?"

The rhetoric plays over my tongue hundreds of times, but it's not a burden, it's something I feel strongly about and want to share.



Karen Brown

Of course, I don't know the answer to everything, but it's good to get asked things that I need to brush up on.

I mean, when I called Washington, D.C., that morning and asked the Nader headquarters what Ralph's favorite beer is, the office lady said: "Ma'am, nobody here knows the answer to that question."

When people at the bars say "You don't honestly think he's going to win, do you?", I tell them that I was born last week, not yesterday, and I know he's not going to be president.

"I know this, that's not the point. I want to tell people what he is about. If Bush or Gore had half a brain they would pick up on some of his ideas. Our goal is to let people know that if he gets 5 percent of Nebraska's vote, we get to be registered Green Party members until 2004. If he gets 5 percent of the national vote, he gets federal-matched funding for the 2002 and 2004 elections."

For a man who won't accept dirty corporate money, PAC money or any donations over \$2,000, this is quite a big deal.

Now, for those of you worried about pulling the ol' votes away from Gore, it simply won't matter since Nebraska hasn't carried a Democratic win since 1964 (LB) and before that, 1936 (FDR).

It all comes down to who wants to see items on their Patriotic Shopping List such as universal health care coverage, campaign-finance reform, fair-trade policies, living wage, protections of the ecosystem, protection of family farms, less money for a wasteful Defense Department and more money for education and human services.

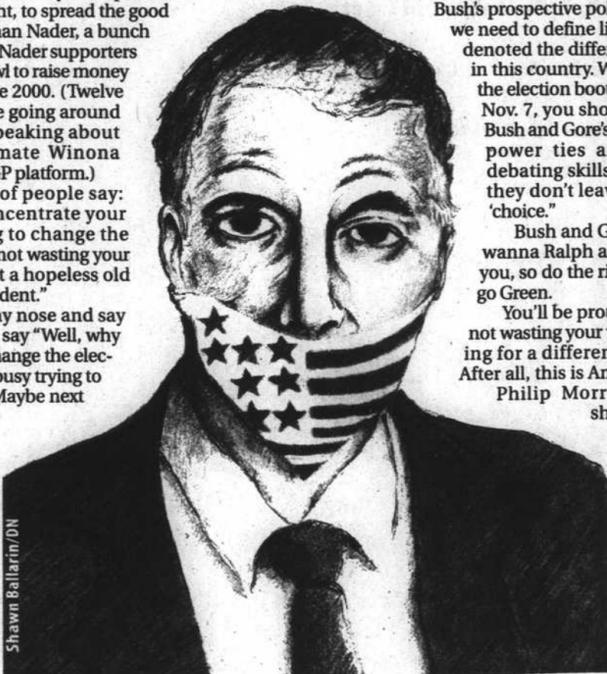
If the words "same fucking difference" mean anything to you, you who put your faith stringently on a two-party system, then take heed.

I'm not suggesting we install a Marxist/Communist left-wing radical party (although that would be better than Bush's prospective police state), but we need to define lines that once denoted the different thoughts in this country. When we go to the election booth on Tuesday, Nov. 7, you should look past Bush and Gore's matching red power ties and retarded debating skills and see that they don't leave you with a 'choice.'

Bush and Gore make me wanna Ralph as they should you, so do the right thing and go Green.

You'll be proud that you're not wasting your vote but fighting for a different viewpoint. After all, this is America, where Philip Morris and Nike shouldn't be in control, but the people.

I don't seem so radical when you learn how to think."



Shawn Ballarín/DN

In memory of a starstruck sportswriter

Editor's Note: Mike Kluck was a sports reporter, editor and columnist for the Daily Nebraskan in the 1980s and from 1995-1998.

Guest Columnist Matthew Waite was a Daily Nebraskan reporter and editor from 1993-1997. He is now a reporter with the St. Petersburg (Fla.) Times.

When you live halfway across the country from your hometown, you start doing things to keep up with home you never did when you lived there. Like reading obituary notices in the hometown paper online.

I'm 25, and I read about 89-year-old grandmothers to someone I don't know who passed on last Tuesday just because it's home. Births, anniversaries, honor roll - I read all of it and I don't know a soul.

But I still read. I'm not alone. My fiancée, who, like me, hasn't lived in Nebraska since we graduated in 1997, checks her hometown obit notices every day, because she's lucky enough to have grown up in a Nebraska town that has a daily newspaper.

On Tuesday, she found an obit of someone we both knew.

Mike Kluck. Mike was a friend; a sportswriter at the Daily Nebraskan in our heyday of toiling in the basement of the Union in the mid-1990s.

He was, to say the least, a non-traditional student in every sense of the word. A big, 30-year old guy, who came back for his journalism degree after a stint as a junior-high teacher didn't work out, kind of sticks out at the Daily Nebraskan.

He had a strange kind of sense of humor you never could describe. He was the only student I knew who made a habit of hitting the casinos on weekends. And the man ate worse than any freshman could dream.

Mike died of a heart attack last Tuesday morning at 34. He was driving home from the Chiefs' Monday night game in Kansas City when he slumped over the wheel.

Who he was writing for I don't know, but that never mattered to Mike, so long as he was at the game.

You probably have never heard of Mike Kluck, but big Mike is a small wrinkle in the history of Nebraska and the university. It's a story you haven't heard.

In December of 1997, the rumors about Tom Osborne retiring were rampant. Osborne had been coach for 25 years, and he let on, from time to time, that he wasn't going to be coaching until the end.

The day before he retired, Osborne said this: "The thing you need to know about my retirement is the first thing I will do is talk to the assistant coaches, and then I'll talk to the players, and then I'll talk to (the media). So once that happens - it's kind of like when the stars and the moons line up."

The sports reporters gathered to hear Osborne's words, chuckled and went on about their business.

At the DN office, later that night, a couple of us were talking about what Osborne had said, when someone I can't remember said it was heard in an astronomy class that, yes, the planets were aligned right now.

This was a rare occurrence, happening only once every 15 years or so.

A quick call - this was late, probably 10 p.m. - to that student's professor confirmed it.

And Mike Kluck, our fearless sports editor, called the most revered human in the state of Nebraska at 11 p.m. at home to tell him we think we figured out his riddle. Mike asked him if he was retiring.

Osborne is not typically kind to reporters calling him at home and waking him up. Whole newspapers in Nebraska won't do that for fear their press passes will disappear. Osborne merely chuckled and gave some non-denial denial to Mike.

The next day, Osborne retired. The first sentence out of Osborne's mouth in his retirement speech was about Mike Kluck and his late-night phone call.

There, in the room, I witnessed a man, with all his problems and all his goodness, experience a moment of fleeting glory. A moment so treasured by him.

One he would have shared with everyone, had he not been taken from us so early.

It was all a Nebraska sportswriter could want: to cling to just one tiny piece of an earth-shattering event in the history of the Huskers.

I remember Mike for a lot of things, but it is in that moment of his personal glory that I will always and forever see him in my memories.

I think another former colleague said it best: May Mike be welcomed into that Great Press Box in the Sky.